

No. 187, A.]

[Published May 12, 1955.

CHAPTER 78

AN ACT to amend 289.02 (4) of the statutes, relating to embezzlement by contractors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

289.02 (4) of the statutes is amended to read:

289.02 (4) The proceeds of any mortgage on land, paid to any principal contractor or any subcontractor for improvements upon the mortgaged premises and all moneys paid to him by any owner for improvements, constitute a trust fund in the hands of any such contractor or subcontractor to the amount of all claims due and to become due or owing from such contractor or subcontractor for * * * labor and materials *used for such improvements* until all such claims shall have been paid; and the use of any of such moneys by any contractor or subcontractor for any other purpose until all claims, except those which are the subject of a bona fide dispute, shall have been paid in full, or pro rata in cases of a deficiency, is embezzlement of moneys so misappropriated.

Approved May 6, 1955.